

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KIMBERLY PORTER,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration.

Defendant.

CASE NO. 12-cv-05042 RBL

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Judge J. Richard
Creatura, United States Magistrate Judge, on Defendant's Motion for Remand Pursuant to
Sentence Six, 42 U.S.C. § 405(g) (ECF No. 8) and the relevant record, does hereby find and
ORDER:

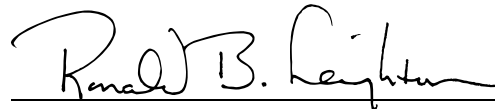
- (1) The Court adopts the Report and Recommendation;
- (2) The matter is **REMANDED** pursuant to sentence six of 42 U.S.C. § 405(g) to the
Commissioner for a *de novo* hearing;
- (3) This Court retains jurisdiction over this action;

1 (4) After remand, the Commissioner of Social Security shall modify or affirm the
2 Commissioner's findings of fact or the Commissioner's decision, or both, and shall file with the
3 Court any such additional or modified findings of fact and decision;

4 (5) If the outcome is not fully favorable to Plaintiff, the Commissioner promptly shall file
5 with the Court a transcript of the complete record and testimony on which the Commissioner's
6 action in modifying or affirming is based, and plaintiff may seek judicial review by reinstating
7 this case rather than by filing a new complaint; and

8 (4) If the outcome is favorable to Plaintiff, the parties promptly shall move this Court for
9 entry of Judgment.

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11 Dated this 18th day of July, 2012.

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14 Ronald B. Leighton
United States District Judge